

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-8014

STEPHEN LUCI,

Petitioner - Appellant,

v.

THOMAS L. MCBRIDE, Warden; THE ATTORNEY GENERAL OF THE STATE
OF WEST VIRGINIA; DAVID BALLARD, Warden,

Respondents - Appellees.

Appeal from the United States District Court for the Northern
District of West Virginia, at Martinsburg. Robert E. Maxwell,
Senior District Judge. (3:07-cv-00011-REM-JES)

Submitted: May 18, 2009

Decided: June 9, 2009

Before MICHAEL, KING, and SHEDD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Stephen Luci, Appellant Pro Se. Dawn Ellen Warfield, Deputy
Attorney General, Robert David Goldberg, Assistant Attorney
General, Charleston, West Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Stephen Luci appeals the district court's order accepting the recommendation of the magistrate judge and denying relief on his 28 U.S.C. § 2254 (2006) petition. Because the district court granted a certificate of appealability, we review all claims properly preserved by Luci on appeal on their merits. We have thoroughly examined the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Luci v. McBride, No. 3:07-cv-00011-REM-JES (N.D. W. Va. Aug. 26, 2008). Although we grant Luci's motion to exceed page limits for his informal brief, we dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED